

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

STRUCTURAL PEST CONTROL COMMISSION

[R07-147]

1. **Title and its heading:**
Chapter and its heading:
Article and its heading:

Section numbers:

4, Professions and Occupations
29, Structural Pest Control Commission
1, General and Administrative Provisions;
2, Obtaining, Renewing, Activating or Inactivating a License;
Examination; Continuing Education Requirement; Approval of
Continuing Education;
3, Applicator Duties and Responsibilities;
4, Supervising Applicator Duties and Responsibilities;
6, Business Licensee Duties and Responsibilities;
R4-29-101, R4-29-102, R4-29-201, R4-29-202, R4-29-203, R4-29-204,
R4-29-207, R4-29-208, R4-29-215, R4-29-301, R4-29-302, R4-29-303,
R4-29-304, R4-29-305, R4-29-401 through R4-29-403, R4-29-605,
R4-29-607, R4-29-608 and R4-29-609 (As part of this rulemaking, the
Commission may add, repeal or amend other Sections as necessary.)
2. **The subject matter of the proposed rule:**
The Commission is making minor changes to the rules that became effective on April 7, 2007. The need for the changes became apparent as the Commission and stakeholders used the rules. The Commission also is making new rules to clarify what constitutes the business of structural pest control and requires licensing and to clarify the scope of the fumigation license category. In further response to A.R.S. § 32-2308, which was added during the 2005 legislative session, the Commission will provide guidance regarding the joint responsibility of a business licensee, qualifying party, or applicator by establishing minimum standards for training, supervising, and equipping.
3. **A citation to all published notices relating to the proceeding:**
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Lisa Gervase, Executive Director
Address: Structural Pest Control Commission
9535 E. Doubletree Ranch Road
Scottsdale, AZ 85258-5514

Telephone: (602) 255-3664
Fax: (602) 255-1281
E-mail: lgervase@sb.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Commission will accept comments during business hours at the address listed in item #4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES COMMUNICABLE DISEASES AND INFESTATIONS

[R07-144]

1. **Title and its heading:**
Chapter and its heading:

9, Health Services
6, Department of Health Services – Communicable Diseases and
Infestations

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Article and its heading:

Sections numbers:

7, Vaccine-Preventable Diseases

R9-6-701, R9-6-702, R9-6-706, R9-6-707, R9-6-709, Table 1, and Table 2 (The Department may add, delete, or modify additional sections as necessary.)

2. The subject matter of proposed rule:

This Notice of Rulemaking Docket Opening replaces the Notice of Rulemaking Docket Opening that was published October 13, 2006. The purpose of this rulemaking is to add the meningococcal vaccine (MV) to the list of required immunizations for school entry. The Department will amend the definitions in R9-6-701 to reflect the changes made to the Article. In R9-6-702, the Department is changing the age at which a child is to receive the Hepatitis A vaccine (Hep A) from two years to 12 months because the Hep A is now allowed for use at 12 months. In R9-6-706, the Department has amended the age at which a child is exempt from the pertussis immunization requirement. In R9-6-707, the Department is amending the electronic submission requirements for child immunization information reporting and moving the reporting requirements for post-exposure rabies prophylaxis to R9-6-709. The Department is also amending the tetanus and diphtheria requirements to include tetanus, diphtheria, and acellular pertussis vaccine (Tdap) for a child that is 11 years old or older for protection against pertussis. Currently, the requirement allows for three doses of DTP, DTaP, or any combination of DTP and Td for child that is 11 years old or older. The amended rules are requiring that at least one dose of the three dose minimum of tetanus and diphtheria containing vaccine include one dose of Tdap for a child that is 11 years old or older. Tables 1 and 2 will be amended to reflect the changes that have been made to the Article. The amended rules will also conform to current rulemaking format and style requirements, industry practice, and departmental policy.

The agency docket number, if applicable:

RE-009-07

3. A citation to all published notices relating to this proceeding:

Notice of Rulemaking Docket Opening: 12 A.A.R. 3813, October 13, 2006

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Kathy Fredrickson, Office Chief
Arizona Immunization Program Office

Address: Department of Health Services
150 N. 18th Ave., Suite 120
Phoenix, AZ 85007

Telephone: (602) 364-3630

Fax: (602) 364-3285

E-mail: fredrik@azdhs.gov

or

Name: Kathleen Phillips, Rules Administrator and Administrative Counsel

Address: Department of Health Services
1740 W. Adams Street, Suite 200
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Department will accept written comments until close of the record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING**

[R07-145]

1. Title and its heading:

Chapter and its heading:

Article and its heading:

Section numbers:

9, Health Services

10, Department of Health Services – Health Care Institutions: Licensing

7, Assisted Living Facilities

R9-10-701, R9-10-702, R9-10-703, R9-10-704, R9-10-705, R9-10-706,

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R9-10-707, R9-10-708, R9-10-709, R9-10-710, R9-10-711,
R9-10-712, R9-10-713, R9-10-714, R9-10-715, R9-10-716, R9-10-717,
R9-10-718, R9-10-719, R9-10-720, R9-10-721, R9-10-722, R9-10-723,
and R9-10-724 (The Department may add, delete, or modify Sections as
necessary.)

2. The subject matter of the proposed rules:

This Notice of Rulemaking Docket Opening is being published to replace the notice published April 28, 2006. This rulemaking is to update the licensing requirements for assisted living facilities. A.R.S. §§ 36-405 and 36-406 require the Arizona Department of Health Services (Department) to adopt rules to establish minimum standards and requirements for the construction, modification, and licensure of health care institutions necessary to ensure public health, safety, and welfare. *Arizona Administrative Code* Title 9, Chapter 10, Article 7 implements these statutes for assisted living facilities by providing definitions and licensing requirements for assisted living facilities to follow. Changes will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify Sections as necessary.

The agency docket number:

RE-010-07

3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 12 A.A.R. 1421, April 28, 2006

4. The name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Alan Oppenheim
Program Manager, Office of Assisted Living Licensing

Address: Arizona Department of Health Services
Division of Licensing Services
Office of Assisted Living Licensing
150 N. 18th Ave., Suite 420
Phoenix, AZ 85007

Telephone: (602) 364-2632

Fax: (602) 364-4766

E-mail: oppenha@azdhs.gov
or

Name: Kathleen Phillips, Rules Administrator and Administrative Counsel

Address: Arizona Department of Health Services
Office of Administrative Rules and Counsel
1740 W. Adams, Suite 200
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking